

REMARKS

An Office Action was mailed February 4, 2008. This response is timely. Any fee due with this paper, including any necessary extension fees, may be charged on Deposit Account 50-1290. A refund may be made to Deposit Account 50-1290.

Summary

Claims 1-10 are pending. The claims are now cancelled for clarity and new claims 11 -22 are presented in a non-limiting manner. Claims 11, 22, and 23 are the only independent claims. No new matter has been added.

Objection to the Abstract

The Examiner objects to the Abstract as being too lengthy and improper language style. The same has now been corrected. No new matter has been added. Accordingly, the Examiner is respectfully requested to withdraw the objection.

Objections to the Claims

Claims 5 and 8 are objected to for typographical errors. The objection is now moot.

Rejection under 35 U.S.C. §112

Claim 7 stands rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to have proper antecedent basis. The rejection is now moot.

Rejection under 35 U.S.C. §103(a)

Claims 1, 2, 3, 5, and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,977,623 to DeMarco in view of U.S. Patent Publication 2003/0146610 to Chang. Claims 4 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DeMarco in view of Chang and in further view of U.S. Patent No. 6,198,996 to Berstis. Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over DeMarco in view of Chang and in further view of U.S. Patent No. 5,984,350 to Hagan. Claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over DeMarco in view of Chang and in further view of U.S. Patent

No. 5,155,376 to Okano. Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over DeMarco in view of Chang and in further view of U.S. Patent No. 4,685,151 to Kinchloc.

Thus, all claims stand rejected over the combination of DeMarco and Chang. The rejections are traversed with respect to the newly added claims. For the reasons give, DeMarco, Chang, alone or in combination with each other or with other cited art, do not teach, disclose, or suggest the claimed invention.

DeMarco is cited for teaching all aspects of now cancelled claims except a non-volatile memory and where the logic unit is programmable and stores in the non-volatile memory the identification code enabling the person wearing the garment to select via an interface a specific code among those available. Chang is cited for filling the gap. The combination of DeMarco and Chang is found to be obvious by one skilled in the art.

The presently claimed invention of claim 11 now recites that the *"wherein the third functional module is used by the user to select the serial code identifying the first functional module in order to activate the inflatable protective device when danger occurs."*

Claims 22 and 23 now recite *"wherein the third functional module is used by the user to select the one of the plurality of serial codes identifying the first functional module associated with the moving means selected by the user for use while wearing the garment in order to activate the inflatable protective device when danger occurs while using the moving means."*

DeMarco teaches a plurality of accelerometer/decelerometer sensors 16 that are located remote from the wearer of a vest 10. 3:46 et al. The output of each sensor is fed into an amplifier that produces a *"different coded signal for each specific sensor [] location."* 4:19 et al. In other words, each of the plurality of sensors has its own code. Thus, using the invention of DeMarco, each time the user where to get onto a different moving means, the user would have to reset four codes.

In contrast, in the presently claimed invention a single code is associated with the moving means. Therein, a first functional module is arranged on the moving means and includes a serial code. The third functional module is used by the user to select the serial code identifying the first functional module. Thus, only one code needs to be selected by the user when changing moving means rather than the more cumbersome multiple codes that must be entered for each moving means.

Chang fails to fill the gap or permit one skilled in the art to adapt DeMarco to a different outcome. Chang teaches that an individual serial number is stored in the vehicle. Para. 0035. However, Chang also teaches an identification key module that stores “*an individual serial number*” of a vehicle and a sensing means on a portable air bag. Para. 0035. In other words, only one identifying code is ever stored in the key module.

To apparently provide some flexibility, Chang then suggests reversing this arrangement, e.g., moving the key module that stores the serial code from the vehicle to the air bag and the sensing means from the air bag to the vehicle. However, Chang does not teach, disclose, or suggest that Chang can store more than one serial code. Thus, each time the air bag is used elsewhere a different code must be entered.

In contrast, in the presently claimed invention, a plurality of codes is stored in the memory. The user then need only select one of the codes already stored to identify the particular moving means he/she will be using and, thus, customize the protection afforded by garment.

In fact, nothing in Chang suggests being able to select electronically which of the various airbag comprised in the garment will inflate in case of a crash. DeMarco fails to include such a feature. Therein, DeMarco teaches that all airbag will inflate, while in Chang the user is only allowed to physically move the airbags from one position to another as taught in para. 0036.

Accordingly, the Examiner is respectfully requested to withdraw the reasons given above.

All dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

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Respectfully submitted,

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